

Docket Item # 14
SPECIAL USE PERMIT #2003-0094

Planning Commission Meeting
December 2, 2003

ISSUE: Consideration of a request for a special use permit to continue a nonconforming convenience store use.

APPLICANT: 7-Eleven Inc.
by Michael R. Vanderpool, attorney

LOCATION: 1667 Quaker Lane

ZONE: CL/Commercial Low

STAFF RECOMMENDATION: Staff recommends **approval** of a request for a special use permit to continue operating a nonconforming convenience store, subject to compliance with all applicable codes, ordinances and permit conditions as listed in Section III of this report.

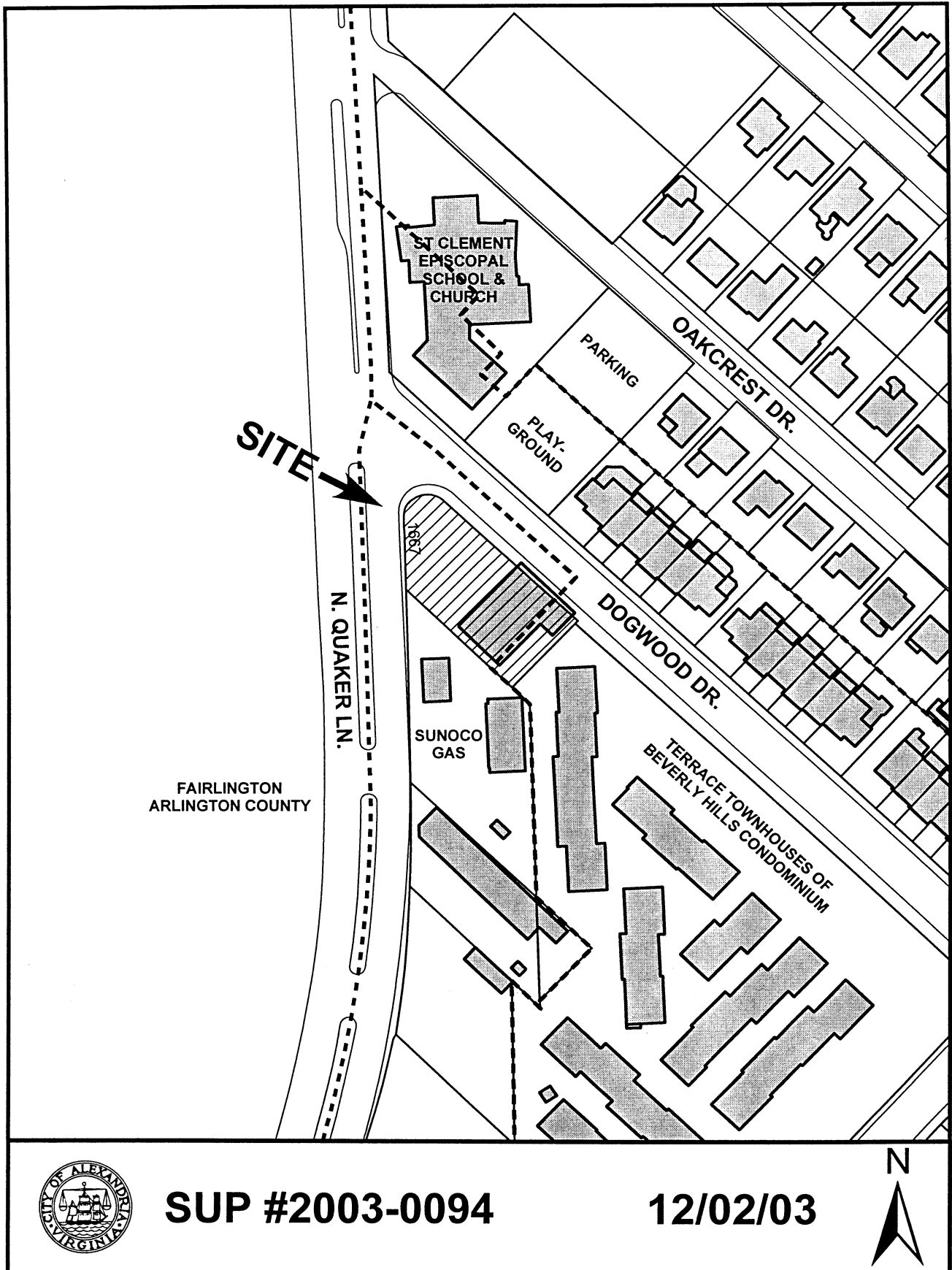
PLANNING COMMISSION ACTION, DECEMBER 2, 2003: On a motion by Mr. Komoroske, seconded by Mr. Jennings, the Planning Commission voted to recommend approval of the request, subject to compliance with all applicable codes, ordinances and staff recommended permit conditions, and to add Conditions #27 and #28. The motion carried on a vote of 7 to 0.

Summary: The Planning Commission agreed with the staff analysis generally, but recommended that the dumpster located on the corner of Dogwood Drive and Quaker Lane be relocated, if feasible, to the south side of the site, to the satisfaction of the Director of Planning and Zoning. The dumpster is to be screened, with landscaping and parking is to be relocated if possible. The Commission also recommended a limitation on the size of truck that is allowed to deliver to the site, as recommended for the 7-Eleven at 800 Franklin Street.

Speakers:

Jose Lourenco, resident at 1739 Dogwood Drive, described a number of concerns at this location including: delivery and trash collection trucks during late night and early morning hours, minors purchasing alcohol, litter, and public urination.

Warren Lutz, representing the Northridge Citizen's Association, spoke in support of the application subject to the recommended permit conditions, stating that the conditions addressed the neighborhood's concerns regarding litter, noise and illegal parking. He stated that the neighborhood was still concerned about the location of the dumpster. He expressed support for adding a condition to limit the size of delivery truck that visits the site.



I. DISCUSSION

Request

The applicant, 7-Eleven, Inc., by Mike Vanderpool, attorney, requests special use permit approval for the continued use of a nonconforming convenience store located at 1667 Quaker Lane.

The applicant proposes to continue operating a nonconforming convenience store. (See the staff report for SUP#2003-0095 for more background). Staff has been working with representatives from 7-Eleven for several months on addressing the potential impacts that 7-Elevens present city-wide and the solutions staff and the applicant have proposed for addressing them.

Site Description

The subject property is one lot of record with 51 feet of frontage on Quaker Lane, approximately 150 feet of depth and a total lot area of 12,853 square feet (.295 acres). The site is developed with a one-story commercial building with two tenant spaces. The 7-Eleven occupies a 4,887 square foot tenant space, and a self-service laundry and dry cleaning business occupies the other, smaller tenant space. The area surrounding the 7-Eleven is developed mainly with residential uses including the Fairlington development in Arlington across the street, the Terrace Townhouses of the Beverly Hills Condominium are located behind the building, and townhouses across Dogwood Drive. There is also a church and school located at the opposite corner of Quaker Lane and Dogwood Street, and a Sunoco gas station abuts the property to the south.

History

The 7-Eleven has operated the existing convenience store at 1667 Quaker Lane since June 1960. 7-Eleven leases the property. The 7-Eleven store is a typical convenience retail store selling a variety of goods including food and beverages. According to the applicant, the store is intended to provide quick and convenient shopping and goods are typically purchased in small quantities. Food and beverages are purchased for consumption off premises. The store has an ABC license for off premises sale of beer and wine between the hours of 6:00 a.m. and 12:00 midnight, as restricted state-wide by the Virginia Department for Alcohol Beverage Control. The store is open 24 hours a day, seven days a week.

Facade Improvement

The applicant proposes renovating the commercial building's facade as illustrated in the attached elevation, which shows the results of staff's work with the applicant to make the site more attractive. A new monument style sign will be installed along the Quaker Lane frontage to replace the existing pole sign, which will be removed (see attached drawing).

Landscaping and Site Improvement

The applicant also proposes a number of landscaping and site improvements. There is presently no landscaping on the site, aside from a few shrubs attempting to screen the trash enclosure. The applicant has agreed to provide significant additional landscaping as illustrated in the landscaping plan attached, including plantings to produce a hedge between the store and the adjacent Sunoco gas station.

Additional plantings will be installed along both Quaker Lane and Dogwood Drive to better screen the dumpster enclosure (see attached plans). The applicant proposes to take out some of the paved area around the dumpster that is not used for parking, and install landscaping. The trash enclosure will be painted or restained. The trash enclosure is not located within the vision clearance area. The applicant also proposes to repave the parking lot.

Parking

According to Section 8-200 (A)(16) of the zoning ordinance, a retail use of 4,887 square feet at this location is required to provide 1.1 parking spaces for every 210 square feet of floor area, totaling 26 spaces. The property has a total of 10 spaces on site. However, Section 8-200 (F) (1) of the zoning ordinance states that any land that was in use on June 25, 1963, is not required to provide off-street parking to meet the current zoning. In this case, the store has been operating at this location since 1960; therefore, there is no technical parking requirement. According to the applicant, the existing parking has proven adequate because of the quick turnover of customers.

Waste Collection

Trash generated is typical solid waste from a small retail establishment, largely consisting of paper, cardboard and plastic. A separate dumpster is in place to accept cardboard for recycling. Trash is picked up by a private hauler several times each week. The applicant presently contracts with a private company to perform three "litter walks" each week. The contractor removes litter and trash from the entire property as well as adjacent sidewalks and gutters. According to the applicant, store employees also perform a minimum of two litter walks each day to pick up litter on the property.

Exterior Storage

The applicant requests approval of continued outdoor storage for firewood. The applicant is willing to store firewood in a rack as approved by staff. An outdoor ice box has been recently removed and the pay phone will also be removed.

Civic Association Response

On November 10, 2003, the applicant and staff met with the Northridge Civic Association to discuss the case. The neighborhood discussed three main issues: trash and litter, including on the opposite side of Dogwood Drive; noise from early and late trash pick-up; and illegal parking in the no parking zone along Dogwood, particularly by idling trucks delivering goods to 7-Eleven. There were comments about the possibility of relocating the trash enclosure to improve vision clearance at the

intersection of Quaker Lane and Dogwood Drive. Finally, residents expressed their strong preference for maintaining the existing lighting levels at the store.

Zoning

The subject property is located in the CL/Commercial Low zone. The CL zone does not currently allow convenience stores, and the subject store is considered a nonconforming use. According to Section 12-214 (A) of the zoning ordinance, the nonconforming use shall discontinue within seven years from the date that the owner and operator were notified of its nonconforming status, which in this case was on June 30, 1998. However, Section 12-214 (A)(1) states that the owner or operator of such use may apply for a special use permit to continue operating.

Master Plan

The proposed use is consistent with the Northridge/Rosemont chapter of the Master Plan which designates the property for commercial use.

II. STAFF ANALYSIS

Staff supports the proposed special use permit for the nonconforming 7-Eleven at 1667 Quaker Lane. The store has been operating for more than 40 years and provides a valuable retail service to residents in the area. As discussed in SUP#2003-0095, there are several issues that are characteristic of the 7-Elevens generally, in various degrees depending upon the location, as well as some additional issues that will be specific to each different location. Staff analyzed the impacts of these issues at the subject location as follows:

Alcohol sales.

Staff has included the standard condition prohibiting single sales of beer and wine, as agreed to by the applicant.

Hours of operation.

Staff was concerned generally about any negative effects that may be caused from a 24 hour operation. However, crime levels are not high, and neither residents nor the Police expressed any concern over the hours of the operation. Therefore, staff recommends that the operation be allowed to continue to operate 24 hours daily.

Litter and trash:

Staff was concerned generally about the potential for litter at the site and heard citizens express their concerns on the subject as well. However, the applicant is willing to perform frequent litter monitoring, and staff has included the standard condition language requiring attention to litter. Staff has also recommended a condition to add a City trash can along the frontage of the store.

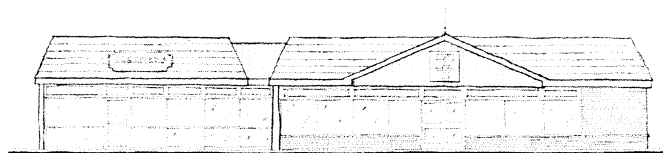
Site improvements (signage, landscaping, dumpster screening, etc.):

Staff has worked with the applicant extensively regarding staff's concerns about the appearance of the site. In response, the applicant has agreed to a number of facade improvements for the entire building, including removing the colored bands at the front of the facade, and adding a gable end over the entrance and a new roof. The existing 7-Eleven sign will remain above the entrance. In response, the applicant proposed a new facade for the entire commercial building, a new monument sign to replace the tall free-standing pole sign, and extensive landscaping. Landscaping will aid in the screening of the trash enclosure.

Existing Facade



Proposed Facade



Facade improvements include: new vinyl moldings and trim, new vinyl vertical shadow line siding, new roof structure with asphalt shingles, and new brick infill for the existing open area on the right side of the facade.

Crime:

There were 11 calls for service from this location over the past year, but they do not include any major criminal activity generated from the site. The police have been active in staff's discussions with the applicant over the past several months and support the application.

Access, Traffic, and Deliveries:

Although a small site with a somewhat awkward shape, customer vehicles, delivery vehicles, and trash trucks appear to all function on the property. However, residents discussed a problem with vehicles, particularly delivery vehicles, parking illegally on Dogwood Drive in the area that is designated no parking. Residents also complained that delivery trucks will often sit in the space idling and create issues with noise. Parking is not permitted in this area because Dogwood is a narrow street, and trucks need the turning space to enter and exit the 7-Eleven property.

The applicant has agreed to contact all of its vendors who make deliveries to remind them not to park in this area. Staff agrees that this is an important step to controlling the parking problem here. Staff also recommends that the applicant contribute \$1000 for restriping, installing new signs, or providing any other parking control element that would discourage illegal parking and the applicant has agreed.

Trash Dumpster:

Staff was concerned about the prominent corner location of the trash enclosure. Its location directly on Quaker Lane is very unattractive. In addition, it is difficult for drivers to see around the corner because of its proximity to the intersection. Residents also raised the location of the enclosure as an issue. Staff worked with the applicant on alternative locations for the trash enclosure. However, the site is so constricted that of the few alternatives available on the site, none proved feasible for either access, circulation, safety, or Code compliance issues. Therefore, staff is not requiring that the dumpster be moved, but has required additional landscaping around it, including in an area that now is paved. Under this proposal, the area will be more attractive.

Lighting:

Finally, the Police Department has recommended a minimum of 2.0 foot candles for the site. Staff surveyed the property and found that the existing lighting generally exceeds this standard on the property, and the light fixtures are shielded so as to not cause a nuisance to neighboring residential properties. Residents commented that they are satisfied with the lighting levels and would prefer that they not be increased. Therefore, staff recommends that the 2.0 foot candles for the site be maintained.

With these conditions, staff recommends approval of the special use permit.

III. PERMIT CONDITIONS

1. The special use permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z)
2. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (P&Z)
3. No food, beverages, or other material shall be stored outside (except for items identified in Condition #4). (P&Z)
4. Outdoor storage shall be limited to firewood. The firewood shall be located inconspicuously in a rack at the front of the store to the satisfaction of the Director of Planning and Zoning. (P&Z)
5. The business shall be permitted to operate for 24 hours daily.. (P&Z)
6. The applicant shall post the hours of operation at the entrance to the business. (P&Z)
7. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of 40 fluid ounces or more. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold. (Police)
8. Trash and garbage shall be placed in sealed containers which do not allow odors to escape and shall be stored inside or in a closed container which does not allow invasion by animals. No trash and debris shall be permitted to accumulate on site outside of those containers. (P&Z)
9. The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business and a robbery awareness program for all employees. (Police)
10. The applicant shall require its employees who drive to work to use off-street parking. (P&Z)
11. No seats or tables shall be provided for the use of patrons. (P&Z)

12. The applicant shall install, and thereafter maintain in good condition, landscaping according to the attached landscaping plan. The applicant shall maintain shrubbery as close as feasible to 36 inches. (P&Z)
13. The applicant shall conduct employee training session on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z)
14. Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers. (T&ES)
15. The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.(T&ES)
16. Signs, including the new monument sign, and representation of wall signs as part of the facade improvement, shall be consistent with those proposed as part of this application. (P&Z)
17. Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES)
18. The applicant shall pay the City the sum of \$850.00 for placement of one Model SD-42 Bethesda Series litter receptacle on the adjacent public right-of-way. (T&ES)
19. The applicant shall implement the facade improvements as submitted in the attached plans. (P&Z)
20. The applicant shall provide up to \$1000 to the city for restriping, posting new “no parking” signs, and implementing any other parking control method at the “no parking” area on the south side of Dogwood Drive. (P&Z)
21. The applicant shall inform all vendors that parking is not permitted along the south side of Dogwood Avenue adjacent to the store. The applicant shall provide to staff in writing 30 days from the date of approval the method that it informed the vendors of the parking restrictions. (P&Z)
22. The lighting for the parking lot is to be generally maintained at a minimum of 2.0 foot candles. The lighting shall be shielded to prevent glare on adjacent properties. (P&Z)(T&ES)

23. The applicant shall maintain 10 off-street parking spaces. (P&Z)
24. The applicant shall remove the pay phone on the property. (P&Z)
25. The applicant shall restrain, and thereafter maintain in good condition the enclosure for the trash container. (P&Z)
26. The Director of Planning and Zoning shall review the special use permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions, (b) the director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation, or (c) the director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)
27. **CONDITION ADDED BY PLANNING COMMISSION:** If feasible, the applicant shall relocate the dumpster to the south side of the site, with screening and landscaping and the relocation of parking if possible, all to the satisfaction of the Director of Planning and Zoning. (PC)
28. **CONDITION ADDED BY PLANNING COMMISSION:** All trucks making deliveries to the site shall be no larger than 30 feet in length. (PC)

STAFF: Eileen Fogarty, Director, Department of Planning and Zoning;
Barbara Ross, Deputy Director;
Valerie Peterson, Urban Planner.

IV. CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Transportation & Environmental Services:

- F-1 The site is located on the southeast corner of North Quaker Lane and Dogwood Drive and vehicular access is provided by two city standard driveway aprons, one on each street frontage. The Seven-Eleven shares the building with a dry-cleaners (#1669 N. Quaker Lane). A Sunoco Service station is located on the south side of the store.
- F-2 The public improvements; curbs, sidewalks and driveway aprons are in good condition and no repairs needed. The curb radius at the pedestrian street crossing has an existing handicap ramp.
- F-3 The private improvements; curbs, pavement are in good repair.
- F-4 Site lighting is provided by 3 pole mounted boxed (shielded) fixtures. There is one Cobra Head site light attached to a wood pole located along the property line with the Sunoco station, perhaps a remnant or original lighting. This could be removed.
- F-5 A lighting survey found that the site exceeds current city standards.
- F-6 There are no street litter boxes located on the street frontage of the store and very little room to install one on the right-of-way without interfering with pedestrians.
- R-1 Kitchen equipment shall not be cleaned outside, nor shall any cooking residue be washed into the streets, alleys or storm sewers.
- R-2 The applicant shall control cooking odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation & Environmental Services.
- R-3 Loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line.
- R-4 Applicant shall pay the City the sum of \$850.00 for placement of one Model SD-42 Bethesda Series litter receptacle on the adjacent public right-of-way.

- C-1 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line.

Code Enforcement:

- C-1 New construction must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 Construction permits are required for this project. Plans shall accompany the permit application that fully detail the construction as well as layouts and schematics of the mechanical, electrical, and plumbing systems.
- C-4 A rodent control plan shall be submitted to this office for review and approval prior to occupancy. This plan shall consist of the following:
 - (a) Measures to be taken to control the placement of litter on site and the trash storage and pickup schedule.
 - (b) How food stuffs will be stored on site.
 - (c) Rodent baiting plan.

Health Department:

- C-1 An Alexandria Health Department Permit is required for all regulated facilities.
- C-2 This facility is currently operating as 7-Eleven under Alexandria Health Dept. permit, issued to The Southland Corporation.
- C-3 This facility and all modifications must meet current Alexandria City Code requirements for food establishments.
- C-4 Five sets of plans must be submitted to and approved by this department prior to construction/modifications. Plans must comply with the Alexandria City Code, Title 11, Chapter 2, Food and Food Establishments. There is a \$135.00 fee for review of plans for food facilities.
- C-5 Permits and/or approval must be obtained prior to operation.

- C-6 The facility must comply with the Alexandria City Code, Title 11, Chapter 10, Smoking Prohibitions.
- C-7 Certified Food Managers must be on duty during all hours of operation.
- C-8 Restrooms, including those in common areas, serving the restaurant, are to meet Alexandria City Code, Title 11, Chapter 2 requirements.
- C-9 Provide a menu or list of foods to be handled at this facility to the Health Department prior to opening.

Police Department:

- R-1 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the business.
- R-2 The applicant is to contact the Crime Prevention Unit of the Alexandria Police Department at 703-838-4520 regarding a robbery awareness program for all employees.
- R-3 If an "ABC Off" license is approved we recommend the following conditions;
 - 1. Beer or wine coolers may be sold only in 4-packs, 6-packs or bottles of more than 40 fluid ounces. Wine may be sold only in bottles of at least 750 ml or 25.4 ounces. Fortified wine (wine with an alcohol content of 14% or more by volume) may not be sold.
 - 2. That the SUP is reviewed after one year.
- R-4 The lighting for the parking lot is to be a minimum of 2.0 foot candles minimum maintained.
- R-5 The shrubbery is to be a maximum height of 36 inches when it is mature.

Recreation, Parks and Cultural Activities:

- F-1 Recommend approval of proposed landscaping plan.

APPLICATION for SPECIAL USE PERMIT # 2003-0094

[must use black ink or type]

PROPERTY LOCATION: 1667 Quaker Lane, Alexandria

TAX MAP REFERENCE: 022.00-02-01 ZONE: CL

APPLICANT Name: 7-Eleven, Inc.

Address: 5300 Shawnee Road, Alexandria, Virginia 22312

PROPERTY OWNER Name: Sarah Delaney et al.

Address: 6236 Radcliffe Road, Alexandria, Virginia 22307

PROPOSED USE: Convenience Store

THE UNDERSIGNED hereby applies for a Special Use Permit in accordance with the provisions of Article XI, Section 11-500 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED, having obtained permission from the property owner, hereby grants permission to the City of Alexandria to post placard notice on the property for which this application is requested, pursuant to Article XI, Section 11-301(B) of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

THE UNDERSIGNED hereby attests that all of the information herein provided and specifically including all surveys, drawings, etc., required to be furnished by the applicant are true, correct and accurate to the best of their knowledge and belief. The applicant is hereby notified that any written materials, drawings or illustrations submitted in support of this application and any specific oral representations made to the Planning Commission or City Council in the course of public hearings on this application will be binding on the applicant unless those materials or representations are clearly stated to be non-binding or illustrative of general plans and intentions, subject to substantial revision, pursuant to Article XI, Section 11-207(A)(10), of the 1992 Zoning Ordinance of the City of Alexandria, Virginia.

Michael R. Vanderpool, Esq.
Maynard L. Sipe, Esq.

Print Name of Applicant or Agent
Vanderpool, Frostick & Nishanian, PC
9200 Church Street, Suite 400
Mailing/Street Address

Manassas, Virginia 20110
City and State Zip Code


Signature

703-369-4738 703-369-3653
Telephone # Fax #

28 August 2003
Date

DO NOT WRITE BELOW THIS LINE - OFFICE USE ONLY

Application Received: _____ Date & Fee Paid: _____ \$ _____

ACTION - PLANNING COMMISSION: Dec. 2, 2003 Recommend Approval 7-0

ACTION - CITY COUNCIL: _____

All applicants must complete this form. Supplemental forms are required for child care facilities, restaurants, automobile oriented uses and freestanding signs requiring special use permit approval.

1. The applicant is (*check one*) ☐ the Owner ☐ Contract Purchaser
☒ Lessee or ☐ Other: _____ of the subject property.

State the name, address and percent of ownership of any person or entity owning an interest in the applicant, unless the entity is a corporation or partnership in which case identify each owner of more than ten percent.

 IYG Holding Co.
 4-1-4 Shibakoen
 Minato-ku, Tokyo
 Japan 105

 72.51% of common stock

If property owner or applicant is being represented by an authorized agent such as an attorney, realtor, or other person for which there is some form of compensation, does this agent or the business in which the agent is employed have a business license to operate in the City of Alexandria, Virginia?

- ☐ Yes. Provide proof of current City business license
☒ No. The agent shall obtain a business license prior to filing application, if required by the City Code.

2. Submit a floor plan and a plot plan with parking layout of the proposed use. One copy of the plan is required for plans that are 8½" x 14" or smaller. Twenty-four copies are required for larger plans or if the plans cannot be easily reproduced. The planning director may waive requirements for plan submission upon receipt of a written request which adequately justifies a waiver. This requirement does not apply if a Site Plan Package is required.

NARRATIVE DESCRIPTION

3. The applicant shall describe below the nature of the request in detail so that the Planning Commission and City Council can understand the nature of the operation and the use, including such items as the nature of the activity, the number and type of patrons, the number of employees, the hours, how parking is to be provided for employees and patrons, and whether the use will generate any noise. (Attach additional sheets if necessary)

See Attached

USE CHARACTERISTICS

4. The proposed special use permit request is for: *(check one)*
- ☐ a new use requiring a special use permit,
 - ☐ a development special use permit,
 - ☐ an expansion or change to an existing use without a special use permit,
 - ☐ expansion or change to an existing use with a special use permit,
 - ☒ other. Please describe: continuation of non-conforming use (under Section 12-214 of Zoning Ordinance)

5. Please describe the capacity of the proposed use:

- A. How many patrons, clients, pupils and other such users do you expect? Specify time period (i.e., day, hour, or shift).

Approximately 1,000-1,500 customers per day

- B. How many employees, staff and other personnel do you expect? Specify time period (i.e., day, hour, or shift).

Maximum of four (4) employees per shift

Approximately fifteen (15) employees total

6. Please describe the proposed hours and days of operation of the proposed use:

Day:

Hours:

365 days per year

24 hours per day

7. Please describe any potential noise emanating from the proposed use:

- A. Describe the noise levels anticipated from all mechanical equipment and patrons.

No significant noise beyond that generated by typical retail business activities.

B. How will the noise from patrons be controlled?

No significant noise from patrons anticipated

8. Describe any potential odors emanating from the proposed use and plans to control them:

No significant odors generated by use

9. Please provide information regarding trash and litter generated by the use:

A. What type of trash and garbage will be generated by the use?

Typical solid waste from small retail establishment (consisting
largely of paper, cardboard and plastic)

B. How much trash and garbage will be generated by the use?

Approximately 32 cubic yards of trash and 16 cubic yards of
recyclables per week.

C. How often will trash be collected?

Multiple pick-ups (by BFI) per week

D. How will you prevent littering on the property, streets and nearby properties?

Contract with outside vendor for "litter walk" around property and
adjacent sidewalks three times per week. Employees perform litter
walk twice per day on property.

10. Will any hazardous materials, as defined by the state or federal government, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

11. Will any organic compounds, for example paint, ink, lacquer thinner, or cleaning or degreasing solvent, be handled, stored, or generated on the property?

☐ Yes. ☒ No.

If yes, provide the name, monthly quantity, and specific disposal method below:

12. What methods are proposed to ensure the safety of residents, employees and patrons?

Store has closed circuit T.V. and monitored alarm system

ALCOHOL SALES

13. Will the proposed use include the sale of beer, wine, or mixed drinks?

☒ Yes. ☐ No.

If yes, describe alcohol sales below, including if the ABC license will include on-premises and/or off-premises sales. Existing uses must describe their existing alcohol sales and/or service and identify any proposed changes in that aspect of the operation.

Current ABC license for off-premises sale of beer and wine 6 a.m. to

12 a.m. (midnight)

14. Please provide information regarding the availability of off-street parking:

- A. How many parking spaces are required for the proposed use pursuant to section 8-200 (A) of the zoning ordinance?

Twenty-three (23)

- B. How many parking spaces of each type are provided for the proposed use:

nine (9) Standard spaces

No change in existing
non-conforming use,
therefore, no change
in parking required

Compact spaces

one (1) Handicapped accessible spaces.

Other.

- C. Where is required parking located? ☒ on-site ☐ off-site (check one)

If the required parking will be located off-site, where will it be located:

Pursuant to section 8-200 (C) of the zoning ordinance, commercial and industrial uses may provide off-site parking within 500 feet of the proposed use, provided that the off-site parking is located on land zoned for commercial or industrial uses. All other uses must provide parking on-site, except that off-street parking may be provided within 300 feet of the use with a special use permit.

- D. If a reduction in the required parking is requested, pursuant to section 8-100 (A) (4) or (5) of the zoning ordinance, complete the PARKING REDUCTION SUPPLEMENTAL APPLICATION.

15. Please provide information regarding loading and unloading facilities for the use:

- A. How many loading spaces are required for the use, per section 8-200 (B) of the zoning ordinance? one (1)

- B. How many loading spaces are available for the use? none

- C. Where are off-street loading facilities located? none

- D. During what hours of the day do you expect loading/unloading operations to occur?

A consolidated delivery is made to minimize the number of truck deliveries.

The consolidated delivery is made at approximately 10:30 p.m. Large truck deliveries are scheduled to comply with the City's noise ordinance.

- E. How frequently are loading/unloading operations expected to occur, per day or per week, as appropriate?

Consolidated deliveries arrive daily. Other vendors deliver several

times per week. Typically, three or four trucks deliver per 24 hour period.

16. Is street access to the subject property adequate or are any street improvements, such as a new turning lane, necessary to minimize impacts on traffic flow?

Existing access is adequate

SITE CHARACTERISTICS

17. Will the proposed uses be located in an existing building? ☒ Yes ☐ No

Do you propose to construct an addition to the building? ☐ Yes ☒ No

How large will the addition be? -0- square feet.

18. What will the total area occupied by the proposed use be?

4887 sq. ft. (existing) + -0- sq. ft. (addition if any) = 4887 sq. ft. (total)

19. The proposed use is located in: (check one)

☐ a stand alone building ☐ a house located in a residential zone ☐ a warehouse

☐ a shopping center. Please provide name of the center: _____

☐ an office building. Please provide name of the building: _____

☒ other, please describe: Duplex commercial building

SPECIAL USE APPLICATION
7-Eleven, Inc.

Quaker Lane, Alexandria

WRITTEN NARRATIVE

7-Eleven, Inc. ("7-Eleven" or "Applicant"), the lessee of the property described in the City of Alexandria land records as Tax Map Parcel Number 022.00-02-01 and having a street address of 1667 Quaker Lane, Alexandria, Virginia (the "Property") requests approval of a Special Use Permit (SUP) to continue operating the existing use of a convenience store. This request is in accordance with Section 12-214 of the City of Alexandria's Zoning Ordinance that requires such SUP for continuance of any existing legal non-conforming use.

The Property contains approximately 12853 square feet (0.295 acres) and is zoned commercial low zone (CL). The 7-Eleven convenience store ("the Store") is located within a commercial duplex building located on the Property.

The Store is located at the corner of Quaker Lane and Dogwood Drive. It is abutted on the southwest by an automobile service station. Sharing the duplex and located on the Property is a self-service laundry and dry cleaners. To the rear of the Property is a residential neighborhood.

7-Eleven has operated the existing convenience store on the Property since June 1960. The Store is well integrated into the community and provides a valuable service to residents, particularly in light of the small number of convenience retail stores within the City of Alexandria. (Only 14 such convenience stores exist in Alexandria, as opposed to 38 in Arlington, according to a 1997 Economic Census.)

Nature of Activity

The 7-Eleven store is a typical convenience retail store selling a variety of goods including food and beverages. The Store is intended to provide quick and convenient shopping

and goods are typically purchased in small quantities. Food and beverages are purchased for consumption off premises. The Store has an A.B.C. license for off premises sell of beer and wine between the hours of 6:00 a.m. and midnight. The Store is open 24 hours a day, 365 days a year.

Architecture

The Applicant proposes renovating the commercial duplex's facade as illustrated in the attached architectural sketch (Exhibit A). There will be no color striping or color bands on the new facade. The facade improvements include adding a gable end over the entrance and a new roof. A paneling effect will be used to provide detailing over the storefront windows (in the area where banner signs have been located in the past). The existing standard 7-Eleven sign will remain above the entrance. A new monument style sign will be installed along the Quaker Lane frontage to replace the existing pole sign which will be removed.

Landscaping

There is presently no landscaping on the site aside from a few shrubs screening the dumpster enclosure. The Applicant proposes additional landscaping generally as illustrated in the landscaping plan attached (Exhibit B). The Applicant intends to install plantings to produce a semi-barrier/hedge effect between the Store and the gasoline station. Additional plantings will be made along both Quaker Lane and Dogwood Drive to better screen the dumpster enclosure. The applicant proposes to "recapture" pavement in the area adjacent to the dumpster enclosure not utilized for parking. This will increase the area to be landscaped. The enclosure itself will be painted or restained. Additionally, the applicant will repave the parking lot.

Parking

Since the existing non-conforming use was established prior to 1992, the existing parking is grandfathered. Because of the quick turnover of customers, the existing parking has proven adequate.

Waste Management

Trash generated is typical solid waste from a small retail establishment, largely consisting of paper, cardboard and plastic. A separate dumpster is in place to accept cardboard for recycling. Trash is picked up by a private hauler several times per week.

The Applicant presently contracts with a private company to perform three "litter walks" per week. The contractor removes litter and trash from the entire Property as well as adjacent sidewalks and gutters. Store employees also perform a minimum of two litter walks per day to pick up litter on the Property.

Consideration was given to relocating the dumpster. No alternative location on site proved practical.

Outdoor Storage and Sales

Applicant requests approval of outdoor storage to continue sales of firewood. Applicant is willing to store firewood in a rack as approved by staff. An outdoor ice box has been recently removed and the pay phone will also be removed.

Conclusion

The architectural and landscape improvements proposed by 7-Eleven will significantly improve the site's appearance and will serve to further integrate the Store into the community. The existing nature of the convenience store use and its scale of operations have proven compatible with existing uses in the surrounding area and, thus, no significant change in

SUP2003-0094

operations is necessary. With approval of the requested SUP, the Store will continue to provide convenience shopping for Alexandria residents, meeting a need in the community.

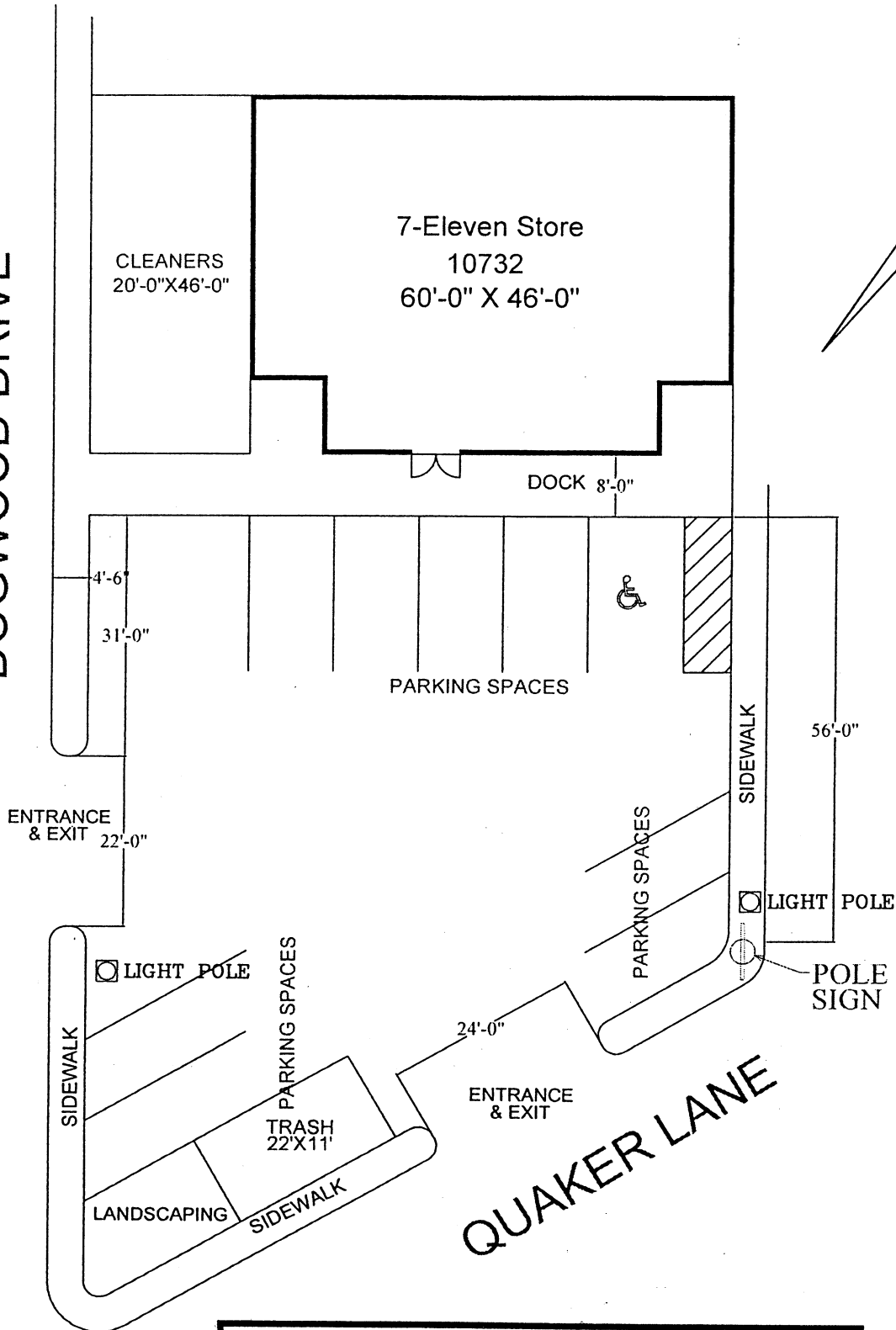
V:\Company\7-Eleven\Alexandria SUPs\Quaker Lane Narrative.doc

SUP2003-0094

WOODEN FENCE/ PROP
LINE

Plot Plan of Existing Site
1667 Quaker Lane

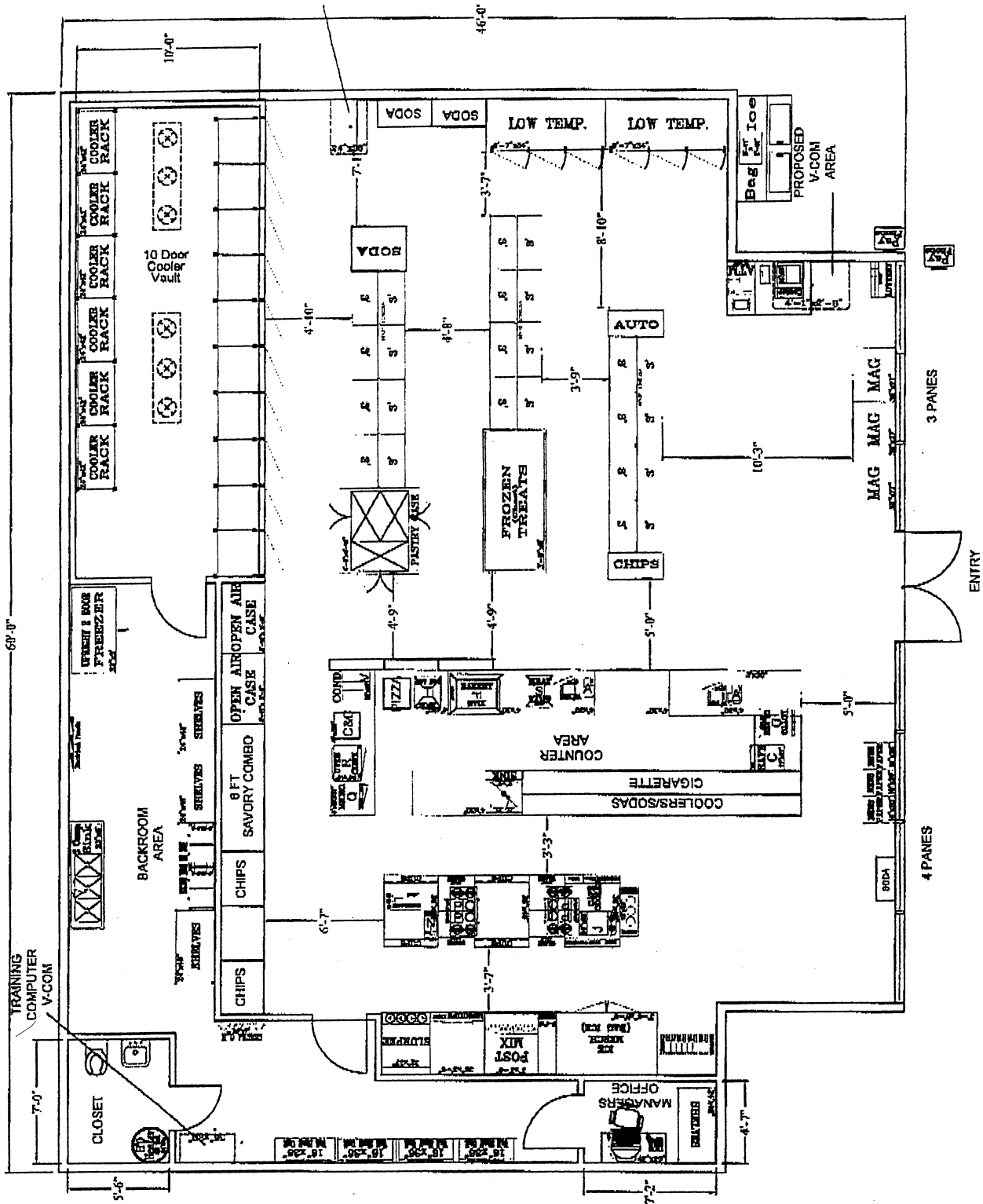
DOGWOOD DRIVE



7-11 Store # 10732 Market # 2554
1667 QUAKER LANE
ALEXANDRIA, 22314

27

Interior Plan of Store
1667 Quaker Lane



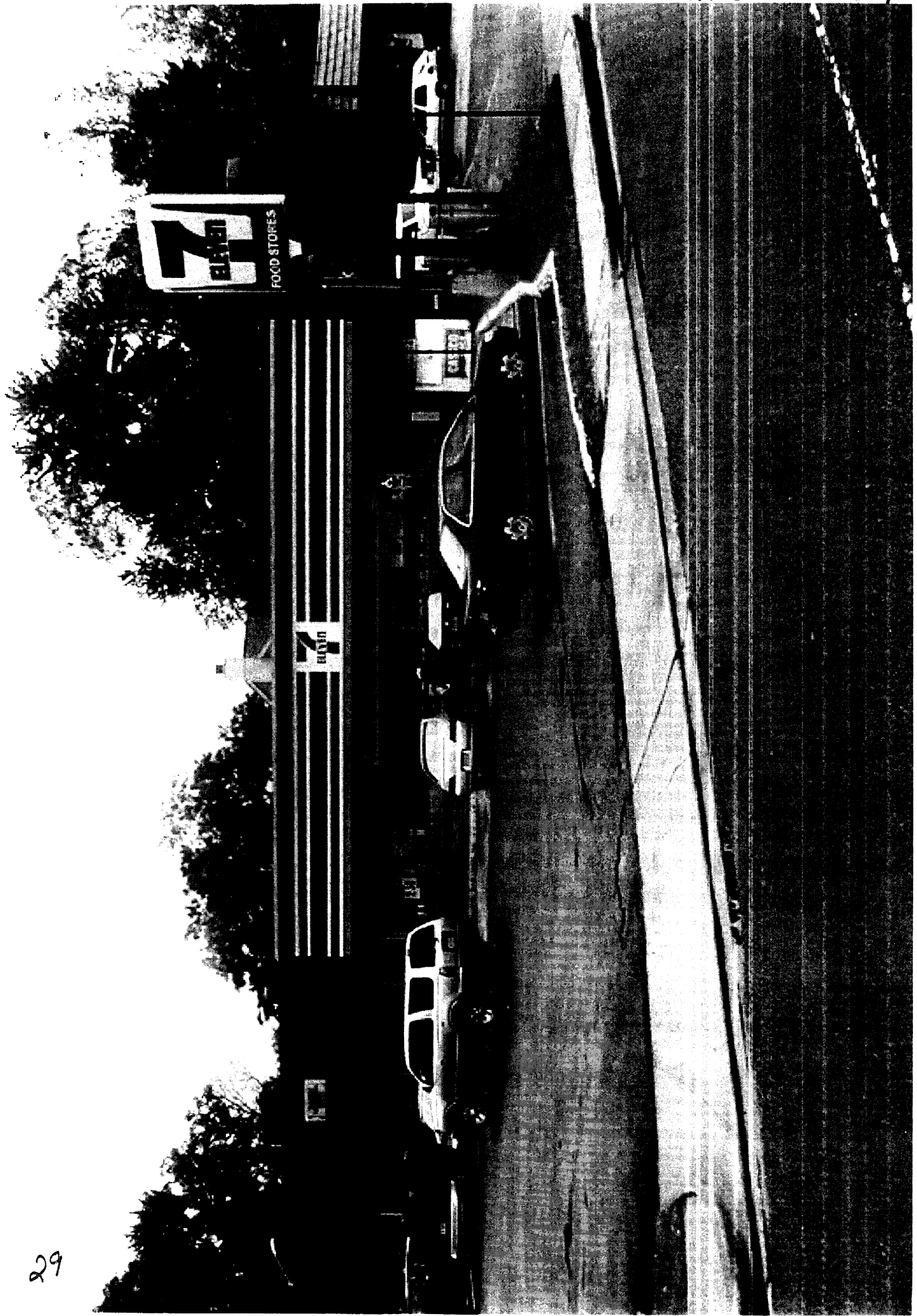
THIS IS NOT A LEGAL DOCUMENT. THE INTENT IS
TO SHOW CURRENT EQUIPMENT CONFIGURATION.

7-11 Store # 10732 Market # 2554
1667 QUAKER LANE
ALEXANDRIA, VA 22314

MASA SOKKOR

Color Photo of Existing Conditions
1667 Quaker Lane

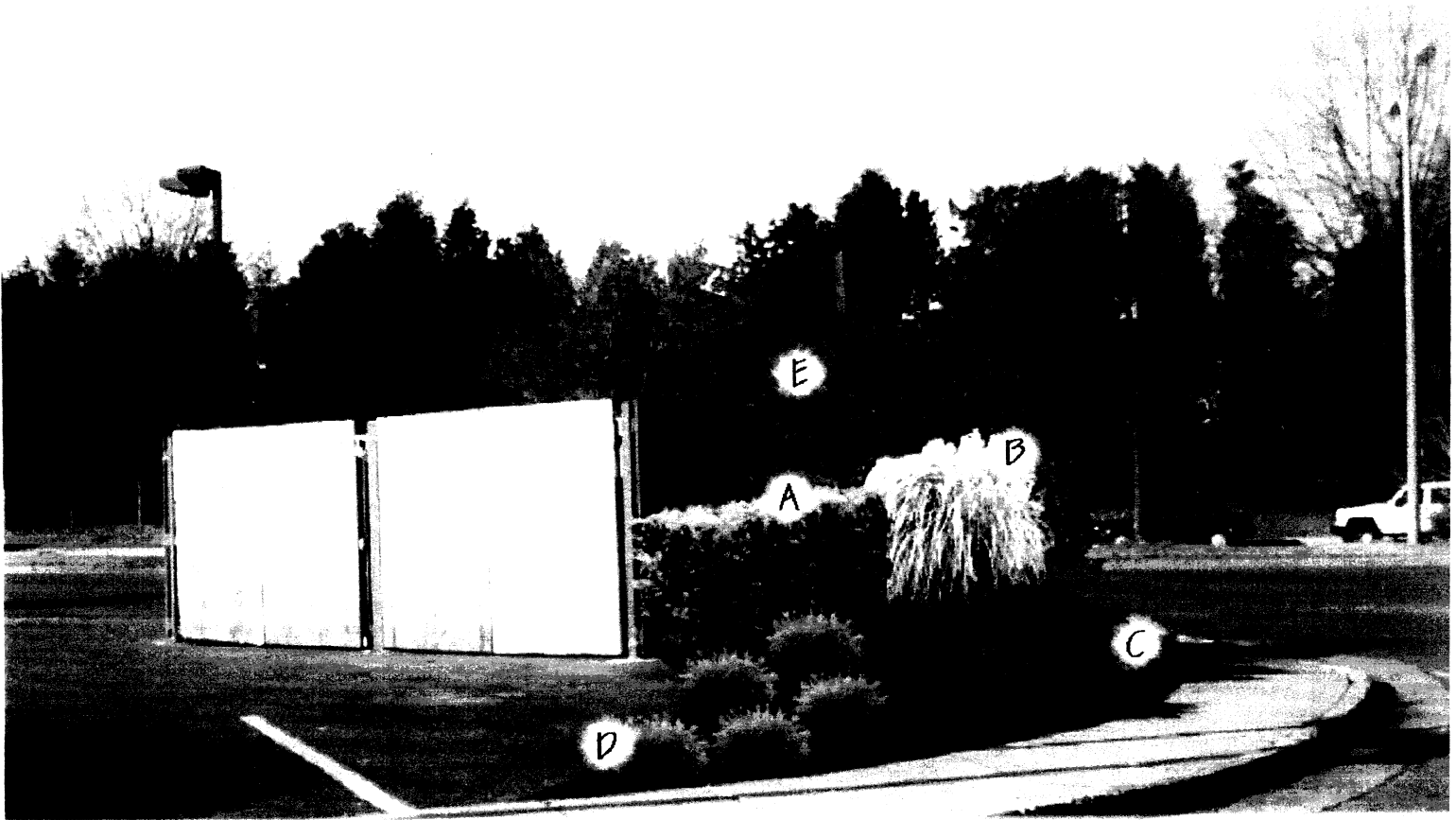
29



54P 0002-0094



TRUGREEN LandCare
Proposed Landscaping



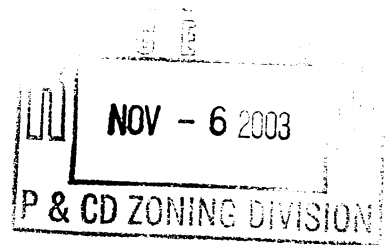
TRUGREEN LandCare

- A = TAXUS 'HICKS YEW'
- B = MISCANTHUS 'MAIDEN GRASS'
- C = JUNIPERUS HOR. 'BLUE RUG JUNIPER'
- D = PENNISETUM 'LITTLE BUNNY'
- E = LAGERSTROMIA CRAPE MYRTLE

VANDERPOOL, FROSTICK & NISHANIAN, P.C.

ATTORNEYS AT LAW
SUITE 400
9200 CHURCH STREET
MANASSAS, VIRGINIA 20110

703-369-4738
FAX 703-369-3653
E-MAIL INFO@VFNLAW.COM



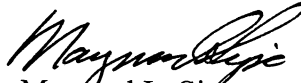
November 4, 2003

Ms. Valerie Peterson, Planner
Department of Planning and Zoning
City of Alexandria
301 King Street, Room 2100
Alexandria, Virginia 22313

Dear Ms. Peterson:

Enclosed are clear copies of the monument sign illustration. I have also forwarded to you, via email, a file of this illustration. Please let me know if there are any other materials you may need for either of our applications.

Sincerely,



Maynard L. Sipe

MLS

cc: Mr. Femi Cole

MODEL 25

25 sq. ft.

5'-1 1/2"

4'-10 1/2"

96"

1 1/2"

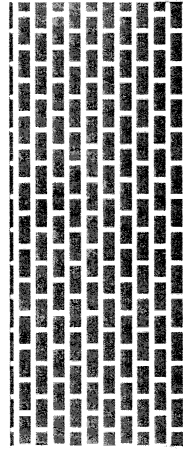
4"

36"

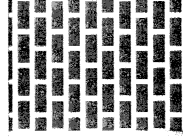
27'

24"

10"

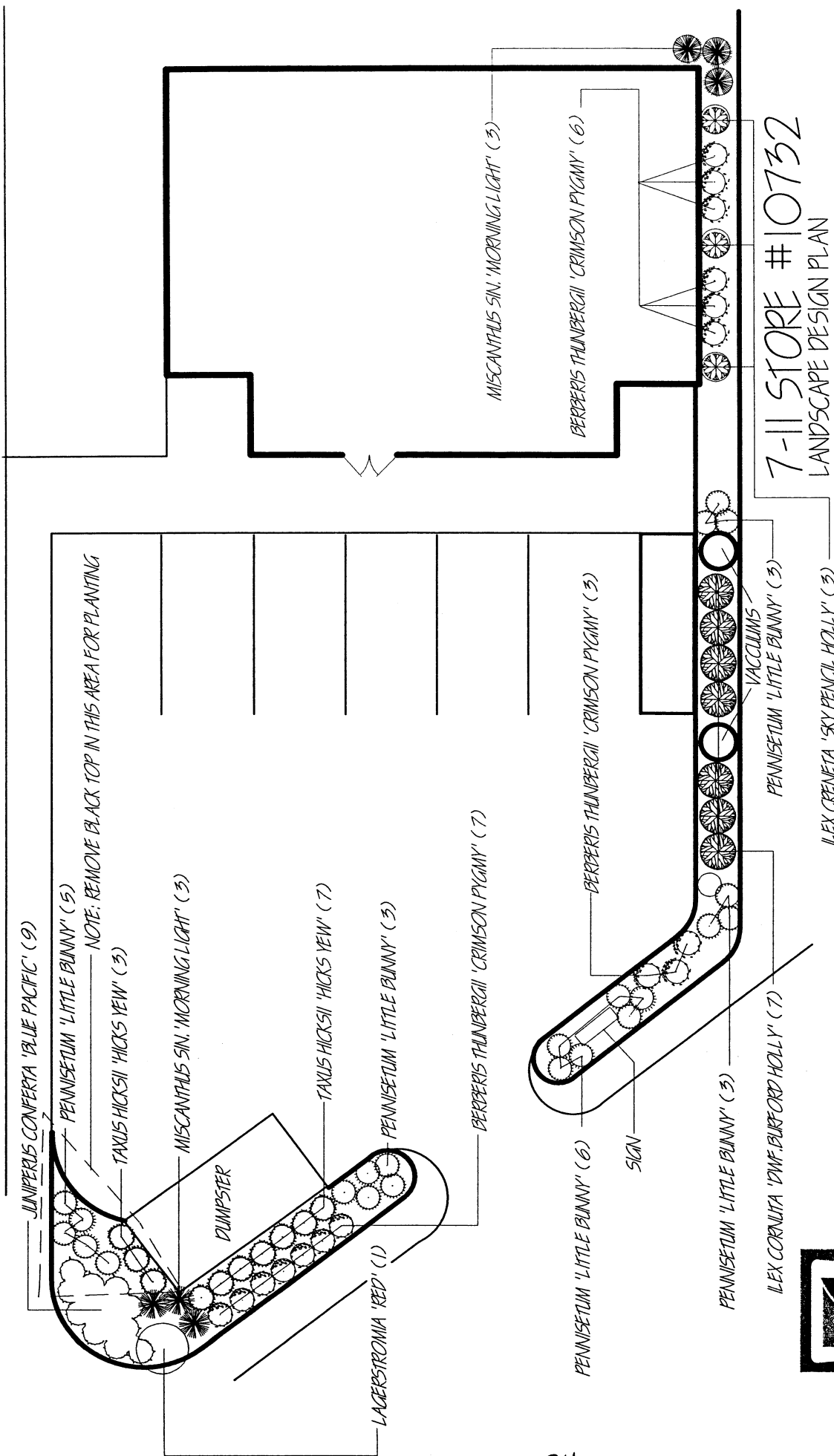


matching to
masonry building



SCALE: 1/2"=1'-0"

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4/14/01

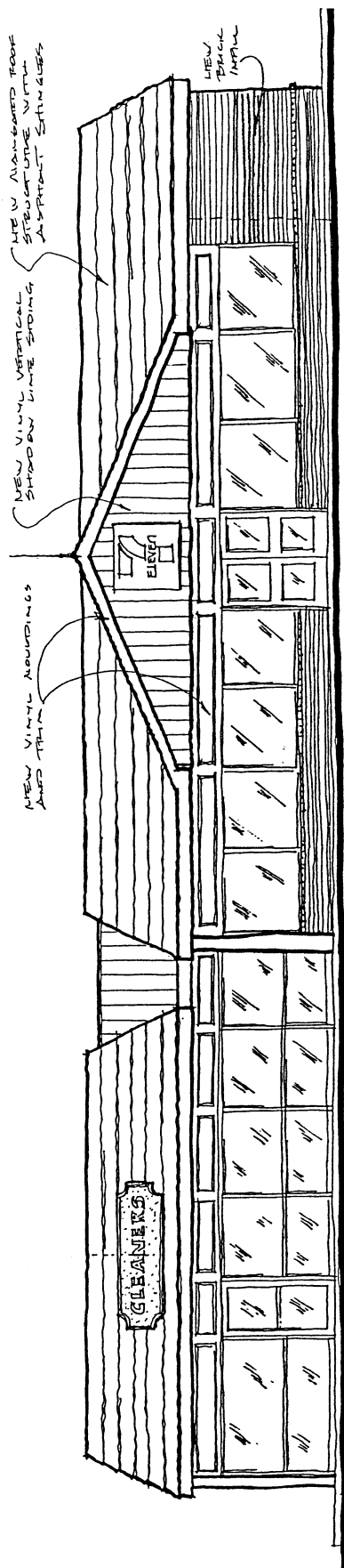


7-11 STORE #10732
LANDSCAPE DESIGN PLAN
SCALE: 1/16" = 1'-0"

DATE: 10-01-03
DWN. NAME: 7-11 STORE #10732
DWN. BY: R.P. RINKER



TRUGREEN LandCare



Alternative C

Front Elevation

Scale: 1/4" = 1'-0"

7- Eleven Store
1667 Quaker Lane

16667 Quaker Lane

URS

CONCELA FINE THOMAS (LINDA) AND PLANNING



7-ELEVEN LOCATIONS IN ALEXANDRIA



7-ELEVEN Location ADDRESS

- 1 1025 West Glebe Rd
- 2 1667 North Quaker Ln
- 3 2 South Jordan St
- 4 2108 Mount Vernon Av
- 5 30 South Reynolds Av
- 6 3023 Duke St
- 7 331 South Whiting St
- 8 3412 Mount Vernon Av
- 9 411 East Braddock Rd
- 10 4620 Kenmore St
- 11 4949 Seminary Rd
- 12 5725 Edsal Rd
- 13 6120 Lincolnia Rd
- 14 800 Franklin St
- 15 915 North Columbus St

Item #14
Sup 2003-0000

The North Ridge Citizens' Association

A Non-Profit Organization
PO BOX 3242 ALEXANDRIA, VA 22302-0242

November 25, 2003

Alexandria Planning Commission
Alexandria City Council
301 King Street
Alexandria, Virginia 22314

Re: Application for Special Use Permit
Applicant: 7-Eleven, Inc.

Property Location: 1667 Quaker Lane, Alexandria, VA

Tax Map Reference: 022.00-02-01

Dear Mr. Chairman and Commissioners:

The North Ridge Citizens' Association ("NRCA") has reviewed the application for a special use permit filed by 7-Eleven, Inc. ("7-Eleven"), in connection with its convenience store property located at 1667 Quaker Lane, Alexandria, Virginia. I write to express the NRCA's conditional endorsement of this application.

Background

In September, 2003, 7-Eleven informed the NRCA of its SUP application. In September and October 2003, NRCA reviewed the application, visited the property at issue and conferred with numerous residents on Dogwood Drive living within one block of the property. During those site visits and resident interviews, the NRCA identified various issues of concern to the residents. Thereafter, in October and November 2003, the NRCA conferred with counsel and management personnel for 7-Eleven to discuss these concerns in an attempt to identify potential solutions. On November 10, 2003, 7-Eleven personnel and its counsel appeared before the monthly meeting of the NRCA to address these concerns, and to express its willingness to implement various changes to ameliorate such concerns. Following these 7-Eleven representations, the NRCA voted to express its support for the SUP application subject to various conditions set forth below.

Resident Concerns Regarding 7-Eleven Operations and 7-Eleven's Response

The specific concerns raised by Dogwood Drive residents, and 7-Eleven's response are as follows:

- (1) **Litter:** numerous residents along Dogwood Drive complained that litter from some 7-Eleven customers is not discarded into the sole trash can on the 7-Eleven property, but instead, is deposited onto the 7-Eleven parking lot or Dogwood Drive. Some residents contend that this litter is subsequently blown onto their property or the Church property at the corner of Dogwood Drive and Quaker Lane.

7-Eleven considered these issues and during the November 10, 2003, NRCA Monthly meeting reported that it would notify its litter removal vender to increase the frequency of litter pick-up to three times per week, extend the scope of such pick-up to both east and west sides of Dogwood Drive, including the entire east side area designated "no parking," and would install more than one trash receptacle either on its property, or if possible, on the west side of Dogwood Drive, along the church property.

- (2) **Trash Dumpster Pick-Up:** several Dogwood Drive residents complained that the 7-Eleven trash removal vendor made occasional trash pick-ups during unauthorized times, particularly in the early morning hours before 6:00 a.m. These pick-ups created unwelcome noise as the vendor truck emptied the 7-Eleven dumpster of its contents.

7-Eleven responded to these concerns by assuring NRCA that it has notified its commercial trash hauler to honor City ordinances prohibiting such trash pick-up between designated hours, and that it would again notify that vendor in writing of the proper time-frame within which trash can be picked-up.

- (3) **Vendor Parking On Dogwood Drive:** presently, parking is not permitted on the east side of Dogwood Drive from the intersection of Dogwood and Quaker Lane, to a point approximately forty feet north of the Dogwood entrance into the 7-Eleven parking lot. Nevertheless, some 7-Eleven vendors occasionally make deliveries to 7-Eleven while parking their delivery trucks along Dogwood, north of the entrance to the 7-Eleven parking lot. Various Dogwood residents complained that these trucks leave their engines running during deliveries, creating unwelcome noise and exhaust, and further make difficult the residents' attempts to turn right into the town home development immediately north of and behind the 7-Eleven property.

7-Eleven acknowledges that its parking lot is limited in size, and that some vendors do park along Dogwood while making deliveries. 7-Eleven notes, however, that it is limited in what it can compel motorists to do with respect to parking on public streets. 7-Eleven acknowledges that directing its vendors to park on Dogwood closer to Quaker Lane (and south of the entrance to the 7-Eleven lot), may well reduce the noise and exhaust complaints, as well as lessen any impediment caused to motorists attempting to turn right into the town home development. 7-Eleven offers to meet with and work with City staff to achieve a solution to this vendor parking issue.

- (4) 7-Eleven Trash Dumpster Location: the NRCA examined the 7-Eleven parking lot and questions whether the trash dumpster could be relocated from its present location near the Dogwood and Quaker Lane intersection. The height and size of the dumpster fence cover creates a fairly significant sight-line obstruction for motorists on Dogwood seeking to turn onto Quaker Lane. The NRCA is aware that the City has considered this issue previously and concluded that there is little, if any, option with respect to relocating the dumpster. The NRCA requests that some consideration be given to relocating the dumpster to the east side of the 7-Eleven parking lot, just to the east of the parking lot entrance from Quaker Lane. While relocating the dumpster to this area would likely eliminate at least one of the few critical parking spaces, it would open up new spaces in the area where the dumpster is presently located, and eliminate the visual obstruction for motorists on Dogwood.

NRCA Decision

On November 10, 2003, the NRCA Executive Board met with 7-Eleven representatives to discuss the issues raised above, and to explore 7-Eleven's commitment to addressing these issues. Following that discussion and further debate and discussion within the NRCA Executive Board, the NRCA voted to endorse the 7-Eleven SUP application, subject to the following conditions:

- Condition 1: 7-Eleven shall increase the frequency of its litter-vendor pick-up to three times per week, and the scope of such pick-up shall include both east and west sides of Dogwood Drive from the Dogwood/Quaker Lane intersection to the point north of the Dogwood entrance to the 7-Eleven parking lot where the "no parking" zone ends prior to the entrance to the town home parking area entrance.
- Condition 2: 7-Eleven shall install additional trash cans either on its lot and/or along Dogwood Drive.
- Condition 3: 7-Eleven shall notify in writing and remind its trash hauler vendor of the City ordinance concerning limitations as to when trash may be picked up.

Condition 4: 7-Eleven shall confer with City staff to discuss 7-Eleven vendor parking on Dogwood Drive, and seek alternatives to illegal vendor parking on Dogwood north of the entrance to the 7-Eleven parking lot.

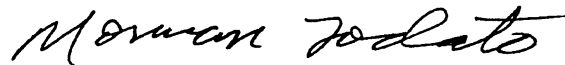
Condition 5: 7-Eleven shall examine the possibility of relocating its dumpster to another location to eliminate the sight-line obstruction for motorists on Dogwood Drive.

During its consideration of the 7-Eleven SUP application, it was brought to the attention of the NRCA that the Alexandria Police Department may seek to intensify the exterior and parking lot lighting at the 7-Eleven property. Dogwood Drive residents were interviewed regarding this matter, and they expressed concerns and reservations regarding any effort to intensify such lighting to the extent it produces unwelcome glare.

The NRCA wishes to express its appreciation to the applicant and the residents of Dogwood Drive for their participation in identifying issues of concern and possible resolution

Thank you for the opportunity to provide our views. We look forward to providing any additional assistance that we can.

Very truly yours,



Norman Lodato
President

Cc Maynard Sipe, Esq.
Valerie Peterson

VANDERPOOL, FROSTICK & NISHANIAN, P.C.

ATTORNEYS AT LAW
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9200 CHURCH STREET
MANASSAS, VIRGINIA 20108

703-369-4738
FAX 703-369-3653
E-MAIL INFO@VPNLAW.COM

10 & 11
12-16-03

December 15, 2003

VIA FACSIMILE

The Honorable William D. Euille
Mayor, City of Alexandria
Members of the City Council
301 King Street
Alexandria, Virginia 22314

Re: 7-Eleven, Inc. Special Use Permit Applications

Dear Mayor Euille and Members of the City Council:

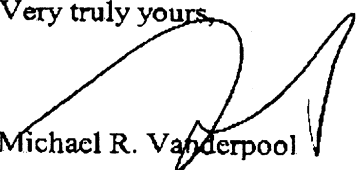
I am writing to you in connection with Special Use Permit (SUPs) applications 2003-0094 and 2003-0095 for which you will conduct a public hearing this Tuesday evening, December 16. These SUPs are to permit the continued operation of the 7-Eleven stores at 800 Franklin Street and 1667 North Quaker Lane. In particular, I would like to draw your attention to the proposed condition regarding the length of delivery trucks in each matter.

At the Planning Commission public hearing on the Franklin Street 7-Eleven, a citizen appeared and requested a limitation on the size of trucks making deliveries to the store. This was the first time we learned of any citizen concern regarding this issue, even though we had met with appropriate civic associations. My client, at that meeting, indicated that 7-Eleven could utilize thirty foot trucks. We have since learned that a clarification is in order.

First, in the trucking industry, truck lengths are normally defined by the length of the trailer, not the trailer and cab. A typical trailer may be as long as 53 feet. However, 7-Eleven requires its vendors to utilize much shorter vehicles typically referred to as a "city truck" when making deliveries in the City of Alexandria. These city trucks actually have trailers that are approximately 32 feet in length. Accordingly, allowing for some small degree of flexibility, we will request at the public hearing that the limitation on delivery trucks read: "Deliveries shall be made by trucks whose trailer length does not exceed 35 feet."

We wanted to provide you advance notice of this proposed amendment to the condition.
If you have any questions, please do not hesitate to contact me.

Very truly yours,



Michael R. Vanderpool

MRV/bgs

cc: Ms. Barbara Ross
Mr. Todd Patrick

FACSIMILE COVER SHEET

VANDERPOOL, FROSTICK & NISHANIAN, P.C.

Attorneys at Law

9200 CHURCH STREET, SUITE 400
MANASSAS, VIRGINIA 20110

Telephone: (703) 369-4738

E-mail: info@vfnlaw.com

Facsimile: (703) 369-3653

TO:	The Honorable William D. Euille Members of the City Council c/o City Clerk
FIRM:	City of Alexandria
FAX NO:	703-838-6433
PHONE NO:	
DATE:	December 15, 2003
FROM:	Michael R. Vanderpool, Esq.
CLIENT:	7-Eleven
MATTER:	Quaker Lane SUP & Franklin Street SUP
CLIENT NO:	
NO. OF PAGES: (incl. fax cover page)	3

THE EMERGING BUSINESS LAW FIRM

*Business and Commercial Matters
Civil Litigation and Arbitration
Condemnation and Eminent Domain
Construction Disputes
Corporations and Partnerships
Corporate Financing
Creditors Rights
Estate and Asset Planning
Internet and Software Licensing
Land Use and Zoning
Legislative and Community Affairs
Mechanic's Liens
Personnel and Employment Matters
Personal Injury and Malpractice
Real Estate Development and Leasing
Real Estate Sales and Financing*

MESSAGE/REMARKS:

Please have the attached letter forwarded to the Mayor and members of the City Council as it relates to an item scheduled during tomorrow's hearing. Thank you for your assistance.

cc: Ms. Barbara Ross (via fax - 703-838-6393)

ORIGINAL: ☐ Will not follow ☐ Will follow by U.S. Mail ☐ Will follow by:

CONFIDENTIALITY NOTICE: The document(s) accompanying this Facsimile Cover Sheet contains information from the law firm of Vanderpool, Frostick & Nishanian, P.C., which is confidential and legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited, and that the document should be returned to this firm immediately. In this regard, if you have received this telecopy in error, please notify us by telephone immediately so that we can arrange for the return of the original documents to us at no cost to you.

V:\Company\7-Eleven\Alexandria SUPs\Northridge Warren Lutz fax 10-10-03.doc

SPEAKER'S FORM

DOCKET ITEM NO. 41 (7-11 / Quinor Lane)

**PLEASE COMPLETE THIS FORM AND GIVE IT TO THE CITY CLERK
BEFORE YOU SPEAK ON A DOCKET ITEM.**

PLEASE ANNOUNCE THE INFORMATION SPECIFIED BELOW PRIOR TO SPEAKING.

1. NAME: M. Ne Vanderpool
2. ADDRESS: 9200 Church Street, MMAS 10, 402
TELEPHONE NO. 703-369-4738 E-MAIL ADDRESS: m.vanderpool@mmas.com
3. WHOM DO YOU REPRESENT, IF OTHER THAN YOURSELF? 7-Eleven, Inc
4. WHAT IS YOUR POSITION ON THE ITEM?
FOR: X AGAINST: _____ OTHER: _____
5. NATURE OF YOUR INTEREST IN ITEM (PROPERTY OWNER, ATTORNEY, LOBBYIST, CIVIC INTEREST, ETC.):
Attorney
6. ARE YOU RECEIVING COMPENSATION FOR THIS APPEARANCE BEFORE COUNCIL?
YES X NO _____

This form shall be kept as a part of the permanent record in those instances where financial interest or compensation is indicated by the speaker.

A maximum of three minutes will be allowed for your presentation. If you have a prepared statement, please leave a copy with the Clerk.

Additional time not to exceed 15 minutes may be obtained with the consent of the majority of the council present; provided notice requesting additional time with reasons stated is filed with the City Clerk in writing before 5:00 p.m. of the day preceding the meeting.

The public normally may speak on docket items only at public hearing meetings, and not at regular legislative meetings. Public hearing meetings are usually held on the Saturday following the second Tuesday in each month; regular legislative meetings on the second and fourth Tuesdays in each month. The rule with respect to when a person may speak to a docket item at a legislative meeting can be waived by a majority vote of council members present but such a waiver is not normal practice. When a speaker is recognized, the rules of procedures for speakers at public hearing meetings shall apply. If an item is docketed for public hearing at a regular legislative meeting, the public may speak to that item, and the rules of procedures for speakers at public hearing meetings shall apply.

In addition, the public may speak on matters which are not on the docket during the Public Discussion Period at public hearing meetings. The Mayor may grant permission to a person, who is unable to participate in public discussion at a public hearing meeting for medical, religious, family emergency or other similarly substantial reasons, to speak at a regular legislative meeting. When such permission is granted, the rules of procedures for public discussion at public hearing meetings shall apply.

Guidelines for the Public Discussion Period

- (a) All speaker request forms for the public discussion period must be submitted by the time the item is called by the City Clerk.
- (b) No speaker will be allowed more than three minutes.
- (c) If more speakers are signed up than would be allotted for in 30 minutes, the Mayor will organize speaker requests by subject or position, and allocate appropriate times, trying to ensure that speakers on unrelated subjects will also be allowed to speak during the 30 minute public discussion period.
- (d) If speakers seeking to address council on the same subject cannot agree on a particular order or method that they would like the speakers to be called on, the speakers shall be called in the chronological order of their request forms' submission.
- (e) Any speakers not called during the public discussion period will have the option to speak at the conclusion of the meeting, after all docketed items have been heard.